

**Filed 12/1/15 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2015 ND 262

State of North Dakota,

Plaintiff and Appellee

v.

Joshua Scott Busby,

Defendant and Appellant

No. 20150173

Appeal from the District Court of Ward County, North Central Judicial District, the Honorable Gary H. Lee, Judge.

AFFIRMED.

Per Curiam.

Kelly A. Dillon, Assistant State's Attorney, Ward County Courthouse, P.O. Box 5005, Minot, ND 58702-5005, attorney for plaintiff and appellee; submitted on brief.

Lee M. Grossman, 341 Central Ave. N., Ste. 3, P.O. Box 475, Valley City, ND 58072, attorney for defendant and appellant; submitted on brief.

State v. Busby
No. 20150173

Per Curiam.

[¶1] Joshua Busby appeals from a criminal judgment entered after a jury found him guilty of aggravated assault. Busby argues the district court erred by excluding a kidnapping conviction offered as evidence of the victim's violent character. The district court did not abuse its discretion in excluding such evidence and we summarily affirm under N.D.R.App.P. 35.1(a)(4) and 35.1(a)(7). State v. Chisholm, 2012 ND 147, ¶ 16, 818 N.W.2d 707.

[¶2] Gerald W. VandeWalle, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Carol Ronning Kapsner
Dale V. Sandstrom